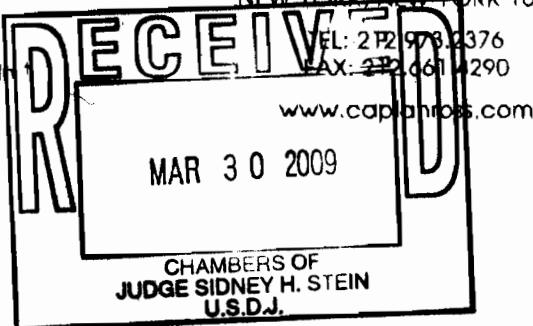


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March 30, 2009

BY FAX

Honorable Sidney H. Stein  
United States District Judge  
United States Courthouse,  
500 Pearl Street, Room 1010  
New York, New York 10007

Re: Spierer v. Jones et al., 08 Civ. 5348 (SHS)

Dear Judge Stein:

We are attorneys for Plaintiff in the action referred to above. On February 27, 2009, the Court entered a conditional dismissal order in this action, subject to reinstatement within thirty days if the settlement did not consummate. While I believe a settlement will still be reached, due to certain medical issues of plaintiff, and logistical issues with counsel for one of the defendants (who has recently relocated his practice), the settlement has not yet been finalized. Rather than reinstate the action, however, I believe that a brief extension of the conditional order would be beneficial and will permit the settlement to be achieved.

Accordingly, I respectfully request that the conditional order be extended for thirty days to permit the settlement to be completed (or, alternatively, that the action be reinstated).

Thank you for your consideration of this request.

Respectfully submitted,



Jonathan J. Ross

The time to reinstate  
this action is extended to  
April 30, 2009.

cc via fax: Lawrence Hinkle, Esq.  
Sherri Eisenpress, Esq.  
Christine Lepera, Esq.  
Ilene Farkas, Esq.

SO ORDERED 3/30/09  
SIDNEY H. STEIN  
U.S.D.J.